REMARKS

I. The Invention

The present invention relates to the surprising discovery that a broad and effective anti-tumor immunity can be achieved in a patient when inactivated tumor cells and bispecific or trispecific antibodies capable of specifically binding the tumor cells, T cells, and Fc receptor-bearing effector cells are administered separately in a time-staggered fashion, *i.e.*, the administration of tumor cells is prior to the administration of the antibodies, or *vice versa*, by a time interval ranging from 1 to 48 hours.

II. Claim Amendment

Claims 1-23 were originally filed and are currently amended to change from the "use" type of claims to method claims. The claims are also amended to improve clarity and ensure proper antecedent basis. New claims 24-36 are added, of which new claims 24-27 find support in original claim 3, new claims 28-32 find support in original claim 4, new claim 33 finds support in original claim 13, and new claims 34-36 find support in original claim 16. No new matter is introduced.

III. Restriction Requirement

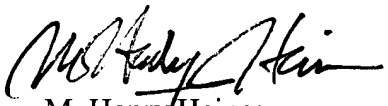
In response to the restriction requirement imposed in the Office Communication mailed June 7, 2004, Applicants elect species B, antibodies that bind CD3.

Applicants respectfully traverse the restriction requirement, because the basis for this restriction requirement, the notion that pending claims are not connected by a common inventive concept, is incorrect. As stated above, one of the inventive features of the present disclosure is that tumor cells and bispecific or trispecific antibodies need not be pre-mixed or administered to a patient simultaneously in order to successfully induce an anti-tumor immunity in the patient. The Kikuchi reference raises safety concerns due to the possible revival of tumor cells in a patient's body following reinfusion, whereas the Lindhofer reference teaches an *ex vivo* "purging" process in which tumor cells contaminating the peripheral blood stem cells are inactivated via the action of bispecific antibodies. Considered together or separately, these two

references do not disclose or suggest the administration of tumor cells and bispecific or trispecific antibodies in a time-staggered fashion. Thus, the currently pending claims are indeed linked by a common inventive concept and the restriction requirement is therefore inappropriate. Accordingly, the withdrawal of the restriction requirement is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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